## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
Plaintiff,	)
	) 8:11CR123
VS.	)
	) ORDER
JOHNNY L. CHATMON,	)
Defendant.	j
	)

This matter is before the court on the defendant's motion to continue trial [32] requesting a date certain for trial due to availability of witnesses. For good cause shown,

IT IS ORDERED that the motion to continue trial is granted, as follows:

- 1. The jury trial now set for September 25, 2012 is continued to October 23, 2012.
- 2. Defendant is ordered to file a waiver of speedy trial as soon as practicable
- 3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 23, 2012**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED September 18, 2012.

BY THE COURT:

s/ F.A. Gossett United States Magistrate Judge